



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 7
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

FEB 25 2011

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Article Number: 7006-2760-0000-8645-4515

Mr. Robert T. Glebs
President
Iowa Waste Systems, Inc.
Loess Hills Regional Sanitary Landfill
59722 290th Street
Malvern, Iowa 51551

Re: CERCLA Off-Site Rule: Affirmative Determination of Acceptability for
Iowa Waste Systems, Inc. - Loess Hills Regional Sanitary Landfill
59722 290th Street,
Malvern, Iowa 51551

Dear Mr. Glebs:

This letter serves to inform you that the U.S. Environmental Protection Agency (EPA) has made an affirmative determination of acceptability for the receipt of off-site waste at the Iowa Waste Systems, Inc. - Loess Hills Regional Sanitary Landfill (Loess Hills Landfill) in Malvern, Iowa. Pursuant to Title 40 Code of Federal Regulations (40 CFR) Section 300.440(a)(4), EPA has completed an initial assessment of Loess Hills Landfill, and finds Loess Hills Landfill acceptable for the receipt of off-site waste. Such off-site wastes are defined as wastes generated as a result of activities authorized or funded by the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

On September 22, 1993, EPA amended the National Oil and Hazardous Substance Pollution Contingency Plan (NCP), 40 CFR Part 300, by adding Section 300.440, now known as the Off-Site Rule. The rule implements and codifies the requirements contained in CERCLA Section 121(d)(3), and incorporates many provisions of the November 13, 1987, OSWER Directive (No. 9834.11), known as the Off-Site Policy. The Off-Site Rule establishes the criteria and procedures for determining if facilities are acceptable for the off-site receipt of CERCLA waste, and outlines the actions affected by the standard. The Off-Site Rule requires that prior to a facility's initial receipt of CERCLA waste, EPA shall determine if there are relevant releases or relevant violations at the facility.

EPA corresponded with the Iowa Department of Natural Resources (IDNR) to determine Loess Hills Landfill's compliance with applicable environmental standards. The results of the correspondence indicate that Loess Hills Landfill is currently in compliance with applicable environmental standards. Therefore, effective upon receipt of this letter, Loess Hills Landfill is acceptable to receive CERCLA off-site waste at the facility described above. Should any new information affecting this determination develop, EPA reserves the right to revisit this decision.

By issuing this notice, EPA is in no way authorizing Loess Hills Landfill to undertake any waste management practice at this facility for which Loess Hills Landfill has not been previously authorized by EPA or IDNR.

If you have any questions concerning this matter, please contact Deborah Bredehoft, Regional Off-Site Contact, Region 7, at (913) 551-7164.

Sincerely,



Donald Toensing
Branch Chief
Waste Enforcement and Materials Management
Branch
Air and Waste Management Division

cc: Mr. Cal Lundberg, Chief, Contaminated Sites Section
Iowa Department of Natural Resources

bcc: Ms. Deborah Bredehoft, Regional Off-Site Contact
Ms. Cecilia Tapia, SUPR